



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Board of County Commissioners**

May 9, 2006

9:30 AM

Commission Chamber

Charles Anderson, CPA  
Commission Auditor

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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Analysis**

**Board of County Commissioners  
Meeting Agenda**

**May 9, 2006**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

**Item Number(s)**

4B	8J1F
7G	8K1A
7J	8N1A
7K	8P1B
8G1A	11A4
8G1B	11A8
8I1A	11A11

Additional Information Items:

5A	9I1A
7I	9I1B
8A1A	11A9
8A1B	11A22

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Esq., Chief Legislative Analyst, at (305) 375-5469.

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**LEGISLATIVE ANALYSIS**

*ORDINANCE STANDARDIZING RESOURCE ALLOCATION AND RESERVE PROCEDURES TO BE FOLLOWED IN THE PREPARATION AND ADOPTION OF THE COUNTY'S ANNUAL BUDGET; REQUIRING BUDGET FORMAT TO PROVIDE CLEAR BASES ON WHICH TO HOLD MANAGEMENT ACCOUNTABLE FOR OPERATING WITHIN ADOPTED BUDGET; REPEALING SECTIONS 2-11.22, 2-11.24.1, AND 2-11.25 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND TRANSFERRING THEIR PROVISIONS TO NEW SECTION 2-1799; REPEALING SECTION 2-11.31 AND TRANSFERRING ITS PROVISIONS TO SECTION 2-1795; AMENDING SECTIONS 2-1795 AND 2-1796; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, CIVIL PENALTY AND AN EFFECTIVE DATE*

Commissioner Carlos A. Gimenez

**I. SUMMARY**

This proposed ordinance:

- Requires departmental appropriations to be specified by given line items (§ 2-1795)
- Institutes a professional revenue estimating and naming required participants (§ 2-1795)
- Prohibits expenditures for any line item to exceed amount appropriated for in such line item (§ 2-1796)
- Provides the County Manager authority to make intradepartmental budget amendments reallocating appropriations amongst a department's line item in an amount not to exceed 10% (§ 2-1796)
- Requires ratification by the BCC of intradepartmental budget amendments reallocating appropriations amongst a department's line item in an amount exceeding 10% (§ 2-1796)
- Transfers existing provisions related to the countywide and UMSA contingency reserve funds to Article CXIII.5 Governing for Results (§ 2-1799)
- Amends requirements for use of countywide, UMSA, fire district emergency contingency reserves and countywide contingency reserves (§ 2-1799):
  - Codifying emergency contingency reserves
  - Emergency contingency reserves only to be utilized for emergencies such as natural disasters and civil disturbances
  - Requiring approval by the Internal Management and Fiscal Responsibility Committee in addition to County Manager and 2/3 of BCC members in office to utilize emergency contingency reserves

## BCC ITEM 4(B)

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- Contingency reserve funds use expanded to include unexpected revenue reductions or extraordinary demands on County operations that cannot be absorbed through historical methods
- Provides for the disposition of unallocated carryover in the countywide and UMSA general funds as follows (§ 2-1799):
  - 50% to capital outlay reserve
  - 50% as profit sharing to departments that generated additional revenue at the discretion of the County Manager

## II. PRESENT SITUATION

On July 7, 2005, the Board adopted Ordinance 05-136, thus establishing a “Governing for Results” framework in order to improve service delivery, managerial and Legislative decision making, and public trust in county government.

Ordinance 05-136 created Section 2-1792 of the Code, and it reads as follows:

Sec. 2-1792. Legislative Findings and Purpose.

(a) Miami-Dade County has an interest in improving the delivery of public services through the use of strategic planning, business planning, a sound resource allocation process encompassing the traditional budget process and a framework for managerial accountability.

(b) The County Commission finds that the use of performance measures and standards in the planning and resource allocation processes, as well as the public reporting of performance information, will result in a more efficient and effective utilization of County resources and improved results for the public.

(c) The purpose of this article is to:

1. Improve public service delivery through deliberate planning and an emphasis on accountability and results;
2. Improve managerial and legislative decision-making by gathering meaningful and objective performance information; and
3. Improve public trust in County government by holding the County and its departments accountable for achieving results. (emphasis added)

## III. POLICY CHANGE AND IMPLICATION

Provisions instituting additional budgetary controls are consistent with the Board’s policy to improve managerial accountability and public trust in county government.

## **BCC ITEM 4(B)**

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### **IV. ECONOMIC IMPACT**

None.

### **V. COMMENTS AND QUESTIONS**

#### **BUDGET CONTROLS**

The State of Florida has budgetary controls codified in Chapter 216, Florida Statutes. See §§ 216.023, 216.221, 216.292 and 216.311 (below).

##### **216.311 Unauthorized contracts in excess of appropriations; penalty.--**

(1) No agency or branch of state government shall contract to spend, or enter into any agreement to spend, any moneys in excess of the amount appropriated to such agency or branch unless specifically authorized by law, and any contract or agreement in violation of this chapter shall be null and void.

(2) Any person who willfully contracts to spend, or enters into an agreement to spend, any money in excess of the amount appropriated to the agency or branch for whom the contract or agreement is executed is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

In 1996, the State of Florida established an Emergency Financial Oversight Board to assist the City of Miami during its financial crisis. Said board assisted city in the development of budgetary controls that in many respects mirror the State's planning and budgeting methods. The City of Miami adopted ordinance 11727 known as the Anti-Deficiency Act. See §§ 18-502, 18-503, and 18-542.

Highlights from the City of Miami Anti-Deficiency Act include:

- ◆ Any ordinance or resolution which exceeds an approved departmental or agency budget may be considered voidable
- ◆ The City Manager shall have the authority to adjust line items in an amount not to exceed ten percent of a department's budget
- ◆ No individual in authority shall instruct an employee of the city to exceed, without legal authority, the annual budget appropriation for any department or agency

**LEGISLATIVE ANALYSIS**

*ORDINANCE RELATING TO RESIDENCY REQUIREMENT; EXEMPTING DISPATCHERS OF MIAMI-DADE POLICE AND MIAMI-DADE FIRE RESCUE DEPTS. AND MIAMI-DADE POLICE COMPLAINT OFFICERS*

Chairman Joe A. Martinez  
Commissioner Sally A. Heyman

**I. SUMMARY**

This Ordinance amends Section 2-11.17 of the Code of Miami-Dade County, Florida, providing all dispatchers and 911 Complaint Officers within the Miami-Dade Police Department (MDPD) and Miami-Dade Fire Rescue Department (MDFRD) exemption from the County's Residency Requirement.

**II. PRESENT SITUATION**

- Section 2-11.17 of the Code, addresses the residency requirement for County employees, providing a 15-month grace period for new hires to establish residency in Miami-Dade County. This section applies to employees hired after the adoption of the Ordinance in 1999.
- During the new hire process (given by the Employee Relations Department) (ERD) a covenant detailing Miami-Dade County's residency requirement is provided, signed by all new employees, and notarized in their presence. Employees who do not establish residency in Miami-Dade County before the 15-month deadline may be dismissed.
- The County Manager is authorized to waive the residency requirement for humanitarian reasons and must submit a list of granted waivers to the Commission on a quarterly basis. A Residency Waiver Committee reviews each application on a case-by-case basis, and then forwards their recommendations to the Manager.
- Ordinance 2-11.17 currently provides residency requirement exemptions for:
  - The Aviation Department in hiring non-county residents to work only at the Dade-Collier Training and Transition Airport.
  - The Building Department in hiring plans examiners and building inspectors (in all trades) who reside in Broward County.
  - All sworn classifications within the Corrections & Rehabilitation Department, Miami-Dade Fire Department and Miami-Dade Police Department.

## **BCC ITEM 7(G)**

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- COSHAC and ERD have been working together with MDPD and MDFRD to address concerns with recruiting and retaining certain positions within their departments. (i.e. MDPD and MDFRD Dispatchers as well as MDPD 911 Complaint Officers.)

### **III. POLICY CHANGE AND IMPLICATION**

- This Ordinance authorizes the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department to exempt dispatchers and Miami-Dade Police 911 Complaint Officers from the County's Residency Requirement.

### **IV. ECONOMIC IMPACT**

N/A

### **V. COMMENTS AND QUESTIONS**

Section 2-11.17 currently provides a residency requirement exemption for all sworn classifications in the MDFRD and the MDPD:

- *1,868 sworn employees in the MDFRD*
- *3,009 sworn employees in the MDPD*

The amendment being proposed would provide a residency requirement exemption for:

- *54 MDFRD Dispatchers & 7 MDFRD Dispatch Supervisors*
- *87 MDPD Dispatchers & 8 MDPD Dispatch Supervisors*
- *101 MDPD Complaint Officers & MDPD 10 Complaint Officer Supervisors*

## **LEGISLATIVE ANALYSIS**

### ***ORDINANCE GRANTING PROPERTY TAX EXEMPTION IN AREAS DESIGNATED AS ENTERPRISE ZONE.***

Office of Community and Economic Development

#### **I. SUMMARY**

This ordinance authorizes renewal of the County's ad valorem property tax exemption program within the County's Enterprise Zone boundaries, and amends sections of the County Code regarding the Enterprise Zone tax abatement program. Key amendments would:

- Allow tax abatement on tangible personal property for businesses located within the Community Redevelopment Areas.
- Disqualify new or expanding businesses located in the **terminals** of the Miami-International Airport from receiving ad valorem tax exemptions.

Maps detailing the Enterprise Zone can be found at: [www.miamidade.gov/ced/ez\\_maps.asp](http://www.miamidade.gov/ced/ez_maps.asp).

#### **II. PRESENT SITUATION**

The Enterprise Zone program is a joint partnership between Miami-Dade County and the State of Florida intended to spur investment in distressed areas through tax incentives for new or expanding businesses. Miami-Dade County's Enterprise Zone program has been administered by the Office of Community and Economic Development since October 1995. The state's program expired on December 21, 2005 and was subsequently reauthorized by the Florida Legislature in the summer of 2005. The reauthorization required the county to renew its program with the state as well.

The County's reauthorization application to the State was recently approved. The effective date of the new program is January 1, 2006.

The County's Enterprise Zone includes the following three areas: North-Central, South Dade and Miami Beach.

- North Central encompasses a large portion of Northwest Miami, including Miami International and Opa-locka Airports, parts of east Hialeah, and the Empowerment Zone, and a satellite in North Dade.
- South Dade: This parcel covers most of the cities of Homestead and Florida City, as well as Cutler Ridge, Perrine, and Princeton.
- Miami Beach: Includes parts of South Beach, Collins Avenue and parts of North Beach.

#### **III. POLICY CHANGE AND IMPLICATION**

This item amends several sections of the County Code regarding the ad valorem tax exemption program within Enterprise Zones. The amendments are as follows:



## **BCC ITEM 7(J)**

**May 9, 2006**

- **Section 29-81:** Allow tax abatement on tangible personal property for businesses located within the County's 11 Community Redevelopment Areas. Previously, businesses located both within the boundaries of a CRA and an Enterprise Zone were not eligible for ad valorem tax exemption, since the taxes generated within CRA boundaries go directly to the CRA. However, according to staff, only the property taxes and real estate taxes are given to the CRA. Taxes on tangible property, such as equipment, were always diverted back to the county. This amendment will not adversely impact the tax revenue generated for CRAs.
- **Section 29-81:** Disqualifies new or expanding businesses located in the terminals of the Miami-International from receiving ad valorem tax exemptions.
- **Section 29-88:** The amendment would assure the eligibility of new and expanding businesses whose applications for tax abatement were pending as of June 30, 2005, regardless of when the improvements were made or placed on the tax assessment rolls.
- **Section 29-89:** The amendment sets the expiration date of the tax exemption program at June 30, 2015.

### **IV. ECONOMIC IMPACT**

Allowing tax abatement on tangible personal property for new or expanding businesses within a CRA could have an adverse financial impact on the County. Currently, the County receives these funds.

According the staff, the County's existing Economic Development ad valorem tax exemption program, which includes real estate and tangible personal property exemptions, amounts to \$1.5 million per year from 2002 – 2004.

### **V. COMMENTS AND QUESTIONS**

Maps detailing the Enterprise Zone can be found at: [www.miamidade.gov/ced/ez\\_maps.asp](http://www.miamidade.gov/ced/ez_maps.asp) .

## **LEGISLATIVE ANALYSIS**

*ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING ARTICLE II TO ADD RESIDENTIAL BUILDING INSPECTOR CATEGORY; AMENDING CERTIFICATION REQUIREMENTS OF STRUCTURAL PLANS EXAMINER AND BUILDING INSPECTOR; AMENDING POWERS AND DUTIES OF CERTIFIED PERSONNEL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE*

*Building Code Compliance Department*

### **I. SUMMARY**

The proposed ordinance amends Chapter 8 of the Code of Miami-Dade County, allowing for the adoption of the following:

- a new category of building inspectors,
- qualification requirements for building inspectors to inspect residential structures in accordance to the new Florida Building Code, Residential, and
- modifications to the structural plans examiner certification requirements.

### **II. PRESENT SITUATION**

In 2001, Miami-Dade County repealed the South Florida Building Code and adopted the Florida Building Code.

On October 1, 2005, Florida implemented the new Florida Building Code, Residential based on the 2003 International Residential Code.

As stated in the Manager's memo, the new Florida Building Code, Residential, codifies inspections of detached one and two family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures in relations to constructing, altering, moving, enlarging, replacing, repairing, removing and demolishing such structures.

Presently, a General Contractor's license is required to conduct building inspections.

### **III. POLICY CHANGE AND IMPLICATION**

The proposed ordinance, if adopted, would allow for the changes implemented by the new Florida Building Code, Residential, a separate volume regarding residential structures, to be carried out by a new category of building inspectors qualified to conduct inspections of residential structures and would modify the eligibility requirement in the certification of structural plans examiners.

**BCC ITEM 7(K)****May 9, 2006**

According to staff, the residential building inspector would not have to meet the more rigorous qualifications necessary for commercial buildings, thereby potentially increasing the pool of potential candidates for residential building inspector positions.

Eligibility requirements for Structural Plans Examiner would also include those who obtained licensure prior to March 1, 1993 by examination in either the civil/structural or civil/structural/sanitary categories. Previous additional requirements still apply (see attached memo).

**IV. ECONOMIC IMPACT**

None.

**V. COMMENTS AND QUESTIONS**

Attachment:

*-Memo to all Building Officials in Miami Dade County*



BUILDING CODE COMPLIANCE OFFICE  
METRO-DADE FLAGLER BUILDING  
140 WEST FLAGLER STREET, SUITE 1603  
MIAMI, FLORIDA 33130-1563  
(305) 375-2901  
FAX (305) 375-2908

PRODUCT CONTROL SECTION  
(305) 375-2902  
FAX (305) 372-6339

## **M E M O**

**TO: All Building Officials in Miami-Dade County**

**FROM: Herminio F. Gonzalez, P.E., Secretary  
Board of Rules and Appeals**

**DATE: November 20, 2003**

**SUBJECT: BORA Interpretation Chapter 8 Article II  
Structural Plan Examiner Requirements**

At their November 13, 2003 meeting, the Board of Rules and Appeals rendered an interpretation regarding the qualifications necessary for certification for the category of "Structural Plans Examiner".

The requirements for certification as a structural plans examiner are contained in Chapter 8 Article II of the Code of Miami-Dade County, as adopted by Ordinance 01-225, and shown below:

*CERTIFICATION OF STRUCTURAL PLANS EXAMINER: To be eligible for appointment as a structural plans examiner, an individual shall be certified by the Board of Rules and Appeals and shall be a Florida licensed professional engineer who has obtained such license by examination under the structural discipline and who has practiced as a structural engineer within the jurisdiction of this Code for a period of 5 years.*

The interpretation rendered by the Board addressed the issue of the discipline under which the professional engineering license was obtained. The Board ruled that those individuals who obtained their professional engineering license through examination under the structural, civil/structural or civil/structural/sanitary discipline would be eligible for certification. However, this provision would apply only to those professional engineers licensed on or before March 1, 1993. The five years of experience "...within the jurisdiction of this code..." must be structural in scope. The Board arrived at their decision based on evidence that was presented by interested parties, indicating that prior to March 1, 1993 there was no distinction between the professional engineering examinations in the categories noted above.

**Memo to All Building Officials in Miami Dade County**



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Professional engineers licensed after March 1, 1993 and wishing to be certified as structural plans examiners must demonstrate that they obtained their professional engineering license through testing under an examination consisting of all structural questions. Currently, the "Structural I" or "Structural II" examination would meet this requirement. Additionally, five years of structural experience within the jurisdiction of this code must be demonstrated.

Please refer any questions regarding this issue to Mr. Michael Goolsby of my staff at (305) 375-4496.

HG:MG



**LEGISLATIVE ANALYSIS**

*RESOLUTION AUTHORIZING THE ALLOCATION OF \$415,000 OF SURTAX FUNDS TO 1200 HOMESTEAD 72, LLC, FOR THE 1200 HOMESTEAD 72, LLC DEVELOPMENT, ALSO KNOWN AS THE DEVELOPMENT ZONE GROUP, LLC DEVELOPMENT; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS.*

Miami-Dade Housing Agency

**I. SUMMARY**

This resolution allocates \$415,000 in Surtax Incentive Pool funds to 1200 Homestead 72, LLC for the 1200 Homestead 72, LLC Development. This allocation is recommended by the Miami-Dade Housing Agency (MDHA) and approved by the Affordable Housing Advisory Board (AHAB) at its September 28, 2005 meeting. This development located at 1200 S.W. 3<sup>rd</sup> Street, has an estimated completion date of May 2006.

**II. PRESENT SITUATION**

This development converts 80 rental units into 72 homeownership units for very-low and low income families.

**III. POLICY IMPLICATIONS**

None.

**IV. ECONOMIC IMPACT**

The original projected cost of construction was \$4,005,650. The revised amount reflects a total cost of \$4,113,200. Although the developer originally requested \$807,450 in Surtax Funds, the Board awarded \$500,000 in SHIP 2005 funds pursuant to Resolution 160-05, leaving a funding gap of \$307,450. However, with the construction costs increasing by \$107,550, reflected in the revised total, the financing gap increases to \$415,000.

**V. COMMENTS AND QUESTIONS**

- The actual cost of a project may differ from the original projected cost based on many factors, including increased construction costs from the time of the application to the approval date.
- The eligibility criteria for SHIP funds are more stringent and although the developer originally requested Surtax Funds, this project met the eligibility requirements for SHIP funds.

**LEGISLATIVE ANALYSIS**

*RESOLUTION AUTHORIZING THE ALLOCATION OF \$2,500,000 SURTAX FUNDS TO HIDDEN GROVE LTD. FOR HIDDEN GROVE APARTMENTS DEVELOPMENT; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS.*

Miami-Dade Housing Agency

**I. SUMMARY**

This resolution allocates \$2,500,000 in Surtax Incentive Pool funds to Hidden Grove, Ltd. for the Hidden Grove Apartments development. This additional allocation is recommended by the Miami-Dade Housing Agency (MDHA) and approved by the Affordable Housing Advisory Board (AHAB) at its September 28, 2005 meeting. The development located at 13815 S.W. 271<sup>st</sup> Terrace, is complete and is fully leased since March 2002.

**II. PRESENT SITUATION**

This development houses families who earn up to 60% of the median income for that area. There are 222 rental units and houses consisting of 2 & 3 bedrooms.

**III. POLICY IMPLICATIONS**

None.

**IV. ECONOMIC IMPACT**

The original projected cost at the time of the loan closing was \$18,251,617. The revised amount reflects a total cost of \$18,619,658. The Board awarded \$750,000 of SHIP 2001 funds through R-1349-00. However, there is a funding gap of \$2,500,000. With the current request the total allocated SHIP and Surtax funds will be \$3,250,000.

**V. COMMENTS AND QUESTIONS**

- Construction began in December 2001 and was completed in December 2002. However, they had trouble keeping the development fully leased because affordable housing became available in the area and families qualified for purchasing homes, so the financing that was based on fully leased revenues didn't come through.

**LEGISLATIVE ANALYSIS**

***IMPACT FEE MANUAL AND AMENDED IMPACT FEE MANUAL ANNEXES***

Miami-Dade Police Department

**I. SUMMARY**

This item would amend the Police Services Impact Fee Manual to reflect recent changes in the police services impact fees.

**II. PRESENT SITUATION**

On January 24, 2006, the Board of County Commissioners approved Ordinance 06-14, which increased the police services impact fee for the first time since 1994. The formula used to calculate the fee is tied to the inflation scale as defined by the Consumer Price Index, and the County Manager is tasked with revising this impact fee on an annual basis.

Impact fees are used to mitigate the costs to the county of providing additional services in newly developed communities in Unincorporated Miami-Dade County. Since the police services impact was first established in 1990, it has been amended twice, once in 1994 and again in 2006. Each time the fee is amended, the Police Services Impact Fee Manual must be updated to reflect the Board-approved fee changes.

The current fees, as approved in Ordinance 06-14 are listed below:

Land Use Occupancy Type	Percent Use of Police Services	Net Capital Costs	Number of Units or Square Feet of Occupancy	Credit for Criminal Justice Bond Program	Cost per Unit or per Square Foot
Residential	70%	\$127,096,505	309,463	0	\$410.70 per unit
Nonresidential	30%	\$54,469,931	190,882,231	0	\$0.285 per square foot

**III. POLICY CHANGE AND IMPLICATION**

This resolution would continue the County's policy of updating the police services impact fee manual to reflect the most recent Board-approved revisions to the fee.



**BCC ITEM 8(I)1(A)**

**May 9, 2006**

**IV. ECONOMIC IMPACT**

This ordinance would have no fiscal impact on the County.

**V. COMMENTS AND QUESTIONS**

None.

**LEGISLATIVE ANALYSIS**

*RESOLUTION RETROACTIVELY AUTHORIZING EXECUTION OF THE FIFTH SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HNTB CORPORATION IN THE AMOUNT OF \$161,181 TO RESTORE THE BUDGET AND EXTEND THE TIME TO COVER THE ACTIVITIES REQUIRED TO FINALIZE THE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE NORTH CORRIDOR TRANSIT PROJECT AS REQUESTED BY THE FEDERAL TRANSIT ADMINISTRATION*

Miami-Dade Transit

**I. SUMMARY**

This Supplement (No. 5) would add \$161,181 and a twelve (12) month time extension to the Professional Service Agreement (PSA) with HNTB Corp., for the development of a Final Environmental Impact Study (FEIS) associated with the North Corridor Metrorail Project.

**II. PRESENT SITUATION**

The North Corridor project received a “Medium” rating in the Federal Transit Administration’s (FTA) “New Starts Program” for 2006-2007. The corridor is currently listed in the Preliminary Engineering phase.

Timeline for consultants on North Corridor project:

- May 25, 1999, Parsons Brinkerhoff Quade & Douglas (PBQ & D) is awarded Supplemental PSA for environmental impact statement preparation for North Corridor project.
- November 30, 2004, HNTB Corp. was approved by the Board of County Commissioners to provide preliminary engineering services for the East/West Corridor Project with a contract ceiling amount of \$29.9 million.
- December 10, 2004, Parsons Transportation Group (different company than PBQ&D) was approved to be awarded a consultant contract for preliminary engineering work on the North Corridor project. (Contract Ceiling \$12.9 million)
- February 14, 2005, BCC approves extension with HNTB Corp., for Supplemental DEIS and FEIS environmental impact statements for North Corridor project.
- May 3, 2005, Parsons Brinkerhoff Quade & Douglas (PBQ & D) is awarded Program Management Consultant (Superconsultant) contract for all corridors.

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### **III. POLICY CHANGE AND IMPLICATION**

This supplement will extend HNTB's responsibilities on the North Corridor project for one (1) year through March 2007.

However, Parsons Transportation Group is currently the Prime Consultant for the North Corridor project.

### **IV. ECONOMIC IMPACT**

This supplement increases the cost of the contract by \$ 161,181.

The original contract amount was \$700,000.

**Including this amendment, the total contract cost would increase to \$2,034,460.**

The funding source identifies 50% Federal, 25% State and 25% PTP monies for this contract. However, since no funding agreements have been agreed to with the Federal or State Agencies, the initial and only dedicated source for funding for these types of services is the PTP Surtax.

Approximately \$12 million has been appropriated to Miami-Dade County through 2004, from the FTA, for preliminary design and planning for the North Corridor Project.

### **V. QUESTIONS AND COMMENTS**

As with projects this large, the Board can expect that many different companies may have done similar work on the same projects.

#### **Currently:**

**HNTB, Corp.** - has a piece of North Corridor project, as listed in this item, and is Lead Consultant for preliminary engineering for East/West Corridor (as of November 30, 2004).

**Parsons Transportation Group** - Lead Consultant for preliminary engineering on North Corridor.

**PBQ & D** – Was awarded “Super-consultant” contract over all corridor projects. Has also been acting as a sub-consultant on North Corridor since mid 90's.

***Will the extension of HNTB's responsibilities on the North Corridor project hamper the company's ability to move forward with the East/West Corridor project?***

**BCC ITEM 8(J)(1)(F)****May 9, 2006**

The chart below lists the Prime Consultants on each of the corridor projects:

<b>Project</b>	<b>Consultant</b>	<b>Services</b>	<b>Amount</b>
North Corridor	Parsons Transportation Group (PTG)	Preliminary Engineering Design Services	\$13 million
East/West Corridor	HNTB Corp.	Preliminary Consult and Engineering Services. <u>Also sub-consultant on North Corridor for FEIS.</u> Preliminary engineering, final design services, inspection and engineering services, as well as act as construction manager	\$29.9 million
MIC/ Earlington Heights	URS Corp.		\$17.9 million
Master Program Consultant	Parsons Brinkerhoff Quade & Douglas	Coordination of all projects	\$44 million
		<b>Total</b>	<b>\$104.8 million</b>

However, as this item identifies, some of these consultants have multiple responsibilities on different corridor projects.

**LEGISLATIVE ANALYSIS*****RESOLUTION APPROVING QUALIFIED TARGET INDUSTRY TAX REFUND FOR  
CONFIDENTIAL PROJECT NO. 06-00196***

Office of Community and Economic Development

**I. SUMMARY**

The Office of Community and Economic Development recommends that the Board of County Commissioners approve the Qualified Target Industry (QTI) tax refund application for a company proposing to establish a Latin American headquarters for a cellular telephone company relocating from the Southwest U.S., to Miami-Dade County.

**II. PRESENT SITUATION**

The Qualified Target Industry (QTI) tax refund program is established pursuant to Section 288.106, Florida Statutes. The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing a tax refund.

**III. POLICY CHANGE AND IMPLICATION**

This continues current policy to spur economic development in and around Miami-Dade County by providing tax incentives to new and expanding businesses.

**IV. ECONOMIC IMPACT**

Item	Project Name	New Jobs	New Capital Investment	QTI Refund			Miami-Dade New Incremental Tax Revenue Generated	County QTI Match	Net Revenue Benefit to Miami-Dade (per Beacon)	Total ROII (per Beacon)
				Total	State 80%	County 20% (over 4 years)				
4C	Confidential 06-00196	90	\$3.6 million	\$405,000	\$324,000	\$81,000	\$98,701	\$81,000	\$17,701	1.22

ROII – Return on Incentive Investment equals Miami-Dade New Tax Revenue Generated divided by the County's match.

The funding for the Miami-Dade County portion of the QTI shall come from the County's General Fund.

**V. COMMENTS AND QUESTIONS**

None.

## LEGISLATIVE ANALYSIS

### *RESOLUTION RETROACTIVELY AUTHORIZING EXECUTION OF AMENDMENT NO. 3 TO THE AGREEMENT AND MEMORANDUM OF UNDERSTANDING FOR THE SOUTH DADE WATER SHED PLAN*

Planning and Zoning Department

#### I. SUMMARY

This resolution approves the retroactive execution of Amendment 3 of the Agreement (agreement) and Memorandum of Understanding (MOU) for the South Dade Watershed Plan (plan). This amendment provides \$150,000 of additional funding from the South Florida Water Management District and a deadline extension from March 19, 2006 to July 18, 2006.

#### II. PRESENT SITUATION

- ***Dec. 1999*** – BCC authorizes the County Manager to execute an agreement with the Florida Department of Environmental Protection (FDEP) to develop the South Dade Watershed Plan.  
**(It was estimated at this time that the plan would be done in four (4) years for approximately \$3.5 million.)**
- ***March 2000-*** BCC created the Citizen's Oversight Committee for the South Dade Watershed Plan----  
(The South Miami-Dade Watershed Plan Advisory Committee)
- ***July 2000*** – BCC authorizes the County Manager to execute an agreement and Memorandum of Understanding (MOU) between the SFWMD, South Florida Regional Planning Council (SFRPC), and Miami-Dade County.
- ***March 2001-*** The MOU between SFWMD, SFRPC, and Miami-Dade County was executed.
- ***April 2002-*** Amendment 1 increased the annual dollar amount allocated to the SFRPC's Administration for work associated with the development of the Watershed Plan. The amendment provided an annual increase of \$25,000, going from \$50,000 to \$75,000 annually.
- ***May 2003-*** Amendment 2 provided a one (1) year extension, extending the Agreement's deadline until March 18, 2006. This

## **BCC ITEM 8N1(A)**

**May 9, 2006**

amendment also added \$1,000,000 (\$1 million) in funds appropriated by the Florida Legislature (increasing the not-to-exceed amount to \$3,200,000.)

### **III. POLICY CHANGE AND IMPLICATION**

- Amendment #3 provides \$150,000 of additional funding by the SFWMD to cover the expense of a scientific peer review committee.
- Amendment #3 also provides a deadline extension from March 19, 2006 to July 18, 2006. (This Amendment will be retroactively effective as of March 19, 2006.)

### **IV. ECONOMIC IMPACT**

- This Amendment has no fiscal impact to Miami-Dade County. However, it provides that \$150,000 will be contributed to the Plan by the South Florida Water Management District to cover the expense for a scientific peer review committee.
- Including this Amendment, the total project has cost \$3,350,000 (\$3.35 million), with \$2.35 million provided by state sources and \$1 million provided by local sources.

### **V. COMMENTS AND QUESTIONS**

- What is the current status of the study and when should we expect the study to be completely finished?

**LEGISLATIVE ANALYSIS**

*RESOLUTION APPROVING A PEOPLE'S TRANSPORTATION PLAN (PTP) AMENDMENT TO MODIFY THE SCOPE FOR THE NW 74 STREET PROJECT TO SIX (6) NEW LANES FROM THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE (HEFT) TO THE PALMETTO EXPRESSWAY (SR 826) AND DELETE THE NW 97 AVENUE PROJECT FROM NW 25 STREET TO NW 41 STREET*

Public Works Department

**I. SUMMARY**

This resolution would make two (2) separate amendments to the **Peoples' Transportation Plan (PTP)**.

1. Increase the "Scope of Work" and accelerate the timeline on a project listed in Exhibit 1 of the PTP as: NW 74<sup>th</sup> Street "Construction of a new four (4) lane road from NW 82<sup>nd</sup> Avenue to the Homestead Extension of the Florida Turnpike".
2. Delete the project entitled: "Widen NW 97<sup>th</sup> Avenue from NW 25<sup>th</sup> Street to NW 41<sup>st</sup> Street".

**II. PRESENT SITUATION**

The current "Scope of Work" for the 74<sup>th</sup> Street project is for a new 3.5 mile, four (4) lane, road from 82<sup>nd</sup> Avenue to the Florida Turnpike.

The estimated cost of the current project is approximately \$14.4 million.

This project is estimated to be completed in 2010.

On December 8, 2005, the Metropolitan Planning Organization (MPO) agreed to forward a proposed amendment to the Board of County Commissioners (BCC) and the Citizens' Independent Transportation Trust (CITT) increasing the Scope of Work of the 74<sup>th</sup> Street project.

**III. POLICY CHANGE AND IMPLICATION**

This amendment would increase the Scope of Work on the 74<sup>th</sup> Street project by widening the roadway from four (4) lanes to six (6) lanes and increasing the length of the road from 3.5 miles to 4 miles extending all the way to the Palmetto Expressway.

Further, this item would delete the 97<sup>th</sup> Avenue project originally listed in Exhibit 1 of the PTP.



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Because this item would materially amend the PTP, it would also require approval by the CITT.

**IV. ECONOMIC IMPACT**

The Florida Department of Transportation estimates that this increase in the Scope of Work to the project will increase the project by approximately \$44 million, from \$14.4 million to a new total project cost of approximately \$58.8 million.

It is being requested that the total amount required for this be advanced from the PTP Surtax.

However, the PWD contends that the Florida Department of Transportation (FDOT) has agreed “In Principal” to refund any project costs in excess of the original \$14.4 million.

Further, the deletion of the 97<sup>th</sup> Avenue project creates a \$4.6 million credit to the PTP.

**V. COMMENTS AND QUESTIONS**

Because there is not currently enough “cash on hand”, in the PTP Surtax, to advance the additional funding needed to complete the new project, the PWD also recommends increasing the current “Bonding Capacity” in order to accelerate this project.

***Why would the FDOT agree to cover the additional \$44 million in cost for this project?***

## LEGISLATIVE ANALYSIS

### *RESOLUTION GRANTING A LIMITED CONFLICT OF INTEREST FOR CERTAIN STATE CONTRACT LOBBYIST*

Commissioner Sally A. Heyman

#### **I. SUMMARY**

This resolution request the Board to grant a limited conflict of interest waiver to Becker & Poliakoff, P.A., Ronald L. Book, P.A., and Gomez Barker & Associates, Inc. to allow these lobbying firms to represent both the County and their telecommunications clients only on issues not in conflict with the County.

#### **II. PRESENT SITUATION**

To this date, the Board has approved the following legislation regarding lobbyists representing the County and instances where there may be a conflict of interest:

- Ordinance No. 72-82
- Resolution 1236-99
- Ordinance No. 00-64
- Resolution No. 63-03

The above-mentioned legislation along with the individual agreements between the County and the lobbyist allow the Board the discretion to take any action regarding waiver request that include: (1) granting the waiver to represent both the County and the other party; (2) refuse to grant the waiver and require the lobbyist to choose between the County or other party; (3) refuse to grant the waiver and void its contract with the lobbyist; and **(4) grant a limited waiver and allow the lobbyist to represent both the County and other party under whatever restriction set forth by the County deemed appropriate.**

**AT THE TIME THIS ANALYSIS WAS BEING PREPARED HB 1199 WAS  
ADOPTED BY THE HOUSE OF REPRESENTATIVES AND WAS IN SENATE  
MESSAGES AWAITING A VOTE.**

#### **III. POLICY CHANGE AND IMPLICATION**

This resolution is requesting the Board to grant a limited waiver specifically to Becker & Poliakoff, P.A., Ronald L. Book, P.A., and Gomez Barker & Associates, Inc. to allow these lobbying firms to represent both the County and their telecommunications clients only on issues not in conflict with the County, to strictly prohibit these lobbying firms from working on behalf of their other client against the County on HB 1199 or similar legislation.

**BCC 11A4**  
**May 9, 2006**

HB 1199 has been filed for the 2006 State Legislative Session. The House bill, HB 1199, creates a statewide franchise vested with the Department of State; existing agreements would be unaffected until they expire, except under certain conditions. Franchises must be granted to applicants within 15 days. There is no build-out requirement, and local authorities cease to enforce customer service regulations. Institutional networks cease to be supported that would preempt local regulation of cable franchises and provide for state regulation.

**IV. ECONOMIC IMPACT**

This resolution creates no fiscal impact.

**V. COMMENTS AND QUESTIONS**

Commissioner Jordan has a sponsored item which urges the State of Florida to defeat any bills that would preempt local regulation and franchising of cable providers and establish statewide cable regulation.

The Florida Association of Counties is lobbyist against HB 1199

Please see attached news article reflecting Broward County Commissioners discretion to refuse a waive conflict of interest rules for a longtime Tallahassee lobbyist.



## Broward curbs lobbyist a bit: Broward County commissioners won't allow their longtime Tallahassee lobbyist to lobby them while the Legislature is in session

Erika Bolstad, The Miami Herald  
The Miami Herald (Florida)  
March 15, 2006



Mar. 15--Broward County commissioners refused on Tuesday to waive conflict-of-interest rules for their longtime Tallahassee lobbyist, Ron Book.

Book -- whose extensive client roster has made him one of the most sought-after lobbyists in the capital -- represents a developer who wants to build a massive condominium, hotel and shopping development at Gulfstream Park racetrack in Hallandale Beach.

The developer needs a land-use change, but county rules bar Book from lobbying them during the legislative session, which began March 7.

Lobbyists on the county payroll often represent private clients in front of the County Commission. That has created an ethical quandary, and the perception that commissioners are more likely to be friendly to the clients of lobbyists who are paid to work for the county in Tallahassee.

The conflicts of interest grew so troublesome about five years ago that the commissioners began prohibiting their lobbyists from representing private clients in front of the County Commission while the Legislature is in session.

That safeguard was established after the commissioners discovered that several lobbyists who worked for the county also were working for cities that opposed Broward County's interests on annexation issues.

A proposed postponement of the land-use change for the Village at Gulfstream Park until after the Legislative session didn't fly with Commissioner Suzanne Gunzburger, who represents the district. She said many residents near the project are snowbirds, who will have left town by April 25, when the session is expected to end.

"I don't think this is the year we want to lose Ron Book," said Commissioner Kristin Jacobs. "It puts us in a really difficult position. We don't want to lose one of the best lobbyists in town."

Book, who is paid \$50,000 to lobby on behalf of Broward County during the two-month legislative session, said he may consider representing the county at no charge, so that he can exit his contract and still represent the Gulfstream project in front of the commission.

Book said it would be unethical for him to abandon a client he was representing in ongoing negotiations. At the same time, Broward County is just as important, Book said.

"I would not choose to walk away from the county," he said. "I value my relationship with the county."

By declining to vote on Book's request for a waiver, county commissioners effectively denied it. Commissioners said they didn't want to go on record as opposing the powerful lobbyist.

Miami Herald staff writer Diana Moskovitz contributed to this report.

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**LEGISLATIVE ANALYSIS**

***RESOLUTION SUPPORTING DEVELOPMENT OF PLUG-IN HYBRID ELECTRIC VEHICLES***

Commissioner Katy Sorenson

**I. SUMMARY**

This resolution expresses Miami-Dade County's support for the development and use of **"Plug-in Hybrid Electric Vehicles"** (PHEV) should they become commercially viable as Alternative Fuel Vehicles.

Further, this resolution seeks support from Florida Power and Light (FPL) and Homestead Energy Services, in offering incentives and/or rebates for persons who utilize PHEV technology.

**II. PRESENT SITUATION**

Miami-Dade County currently utilizes 281 Gasoline/Electric Hybrid Vehicles in its "Light Use" automotive fleet. These vehicles are different than the ones proposed in this resolution, in that they do not require "plug-in" recharging and utilize gasoline/electric switchover mechanism to save fuel at lower idling speeds.

- January 23, 2002 – BCC approves a resolution, sponsored by Commissioner Katy Sorenson, directing the County Manager to study the feasibility of procuring Hybrid Electrical Vehicles for all County fleet vehicles.
- April 8, 2003, - BCC approved the purchase of up to fifty (50) Toyota Prius Hybrid Vehicles through a Cooperative Contract with the Florida Sheriffs' Association. This was the County's most recent attempt at evaluating the possibility of utilizing Alternative Fuel or Hybrid Vehicles within the County fleet.
- September 9, 2003 – Commissioner Katy Sorenson sponsors resolution (R-969-03) requesting the County Manager develop and implement a plan to reduce the County's uses of Gasoline by 20% by 2008.
- August 23, 2005 - Commission Chairman Joe A. Martinez passes a resolution directing the County Manager to study the feasibility of utilizing Flex Fuel/"Gasohol" Alternative Fuel Vehicles in the County fleet.

Miami-Dade County currently maintains a "light use" vehicle fleet of approximately 9,473 vehicles. (Approximately 3% of which are Hybrid Vehicles)

**May 9, 2006**

There are 135 Honda Civic hybrids ordered for model year 2006 for expected delivery in late summer/early fall this year bringing the total hybrid count to 416.

According to GSA, based on historical hybrid sales information for three model years 2002 – 2004, Miami Dade was operating the second largest hybrid fleet in the US, ranked second behind the City of New York.

### **Present Technology**

There are currently two types of PHEVs on the market:

1. All Electric Vehicles (Utilizing No Gasoline)
2. Gas Electric Hybrid Vehicles

## **III. POLICY CHANGE AND IMPLICATION**

This resolution is consistent with previous county policies established to explore the utilization of alternative fuel sources.

## **IV. ECONOMIC IMPACT**

There is no direct fiscal impact related to the expression of support for the development and use of Plug-In Electric Hybrid Vehicles expressed in this resolution.

However, because the commercial market for, and production of, Hybrid Vehicles is still relatively small, manufactures of Hybrid Vehicles charge a high premium on the price of these vehicles. This premium has made the purchase of Hybrid Cars cost prohibitive, for some people, from a strictly economic standpoint.

It is unknown at this time exactly what the increase cost of electricity per vehicle/ per month would be.

### **Estimated Annual Fuel Cost Hybrid vs. Non-Hybrid:**

**Toyota Prius (Hybrid)      15,000 miles ÷ 52 mpg x \$2.25 = \$649**

**Dodge Stratus                      15,000 miles ÷ 21 mpg x \$2.25 = \$1,607**

\*\*These estimates are based on 15,000 miles traveled per year by each vehicle, using the Environmental Protection Agency's Fuel Economy Guide for Miles Per Gallon City (MPG) statistics for each vehicle, and utilizing the average price per gallon of \$2.25.

Utilizing this formula, it would take the owner of a Hybrid Vehicle, paying a premium of \$7,500 extra for the vehicle, approximately 8 years to realize a savings related strictly to money saved on fuel vs. the premium paid on a Hybrid Vehicle.

However the policy issue regarding Alternative Fuel Vehicles should also be based on the environmental benefits derived from their usage. Some additional financial benefit could be derived from Federal and/or State Incentive programs for the purchase of alternative fuel vehicles.

Further, as the price of Hybrid Vehicles comes down and the cost of gasoline increases, the amount of time needed to realize a strictly economic benefit is reduced.

## **V. COMMENTS AND QUESTIONS**

### **Background and Issues related to PHEVs**

In the early 1990s, the automotive industry explored the technology of utilizing PHEVs. General Motors produced several versions of “Plug-In” Electric Vehicles.

A Lack of demand for these vehicles stemmed from the range the car could go before needing to be recharged and the amount of time it took to fully recharge each vehicle (2-8 hours on average). Eventually, the auto manufactures scraped the programs and many of the vehicles were destroyed.

New technological advances in the types of batteries used by PHEVs have resulted in a better, more feasible, electric car. Toyota expects to start production of a “Plug-In” Prius sometime in 2006. Some estimates are that the “Plug-In” Prius would get 100-150 miles per/gallon.

The New York Power Authority Power Authority is helping develop an electric/diesel cargo van, in conjunction with the New York Times Newspaper, that will allow the vehicles to operate for the first 20 miles without utilizing a drop of diesel fuel.

Some communities offer drivers of hybrid vehicles various incentives such as access to the High Occupancy Vehicle (HOV) lane as lone drivers.

The Federal Government also has offered financial incentives to local governments who utilize new technologies which reduce emissions discharged by traditional combustion engines.

The State of Tennessee utilizes Flex-fuel “E-85” Ethanol/Gasoline vehicles. The price per vehicle was approximately \$1,000 more per vehicle than its gasoline only equivalent; however the State received a \$5,000 per vehicle credit from the Federal Government.

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Some municipal governments utilizing Electric/Gasoline Hybrid Vehicles are:

Portland, Oregon

Dallas, Texas

Austin, Texas

Seattle, Washington

New York, New York



## LEGISLATIVE ANALYSIS

*RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN CONJUNCTION WITH A COUNTYWIDE ELECTION IN MIAMI DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, \_\_\_\_\_ FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS APPROVE THE FORM OF INITIATIVE PETITIONS, RATHER THAN THE BOARD OF COUNTY COMMISSIONERS*

Senator Javier D. Souto

### I. SUMMARY

This resolution is seeking to propose a ballot question to the voters to determine if they wish to maintain that the Board of County Commissioner approve the form of citizens initiative petitions or provide for the Clerk of the Board to approve these types of petitions.

### II. PRESENT SITUATION

The Miami-Dade County charter currently provides the power to approve proposed ballot language (as to form) to the Board of County Commissioners. Please read below the following Charter Counties and how they handle citizen's initiative petitions<sup>1</sup>:

**Broward:** The Supervisor of Election determines the validity of initiative petitions.

**Palm Beach:** Board of County Commissioners determines the validity.

**Hillsborough:** Does not specify. It does not say who approves as to form. It does not appear to be an approval as to form.

**Duval:** Does not specify. It does not say who approves as to form. It does not appear to be an approval as to form.

**Orange:** The Supervisor of Elections determines the validity of initiative petitions.

**Pinellas:** The Supervisor of Elections determines the validity of initiative petitions.

### III. POLICY CHANGE AND IMPLICATION

The Clerk of the Board would be approving the citizen's initiative petition, as to form, rather than the Board of County Commissioners. The act of approval, as to form, is a ministerial task.

### IV. ECONOMIC IMPACT

None.

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<sup>1</sup> Miami-Dade Department of Elections assisted in the gathering of the information.

**V. COMMENTS AND QUESTIONS**

The majority of Counties in Florida have the Supervisor of Elections (an elected official) approve these types of petitions.

Miami-Dade County does not have an elected Supervisor of Elections, but rather a Director of Elections who is appointed by the County Manager.

ADDITIONAL INFORMATION

<u>Item#</u>	<u>Subject Matter</u>	<u>Comments/Questions</u>
5(A)	ITC Changes	<ul style="list-style-type: none"><li>• The Executive Director shall have the authority to hire and terminate employees of the ITC;</li><li>• The Executive Director shall have the authority to increase the number of employees of the ITC; (<i>previously the ITC as a whole</i>)</li><li>• The Executive Director shall employ, engage and compensate personnel to carryout the responsibilities of the ITC and to budget, administer, and implement all funds both public and private received by the ITC; (<i>previously the ITC, through its voting members</i>)</li><li>• The Executive Director may enter into contracts with agencies, corporations, persons or other entities, which contracts shall subsequently be submitted to the BCC for ratification; (<i>previously the ITC, through its voting members had to seek BCC approval prior to entering into a contract</i>)</li><li>• In the ITC quarterly report to the BCC, detailing their activities and goals, will also seek Commission ratification of contracts entered into during such quarter.</li></ul>
7(I)	Amendments to Living Wage Ordinance	The current Living Wage Rate as defined in Section 2-8.9 of the Code of Miami-Dade County, as of October 1, 2005, is \$9.81 per hour with qualifying health benefits valued at least \$1.42 per hour, otherwise \$11.23 per hour.
8(A)(1)(A)	Photogrammetric Mapping Services	<p>The County Manager recommends approval of Professional Services Agreement with Woolpert, Inc.</p> <p>Aviation obtained Photogrammetric Mapping Services back in 1996 (Woolpert Consultants) and 2001(Aerial Cartographics of America).</p>

<u>Item#</u>	<u>Subject Matter</u>	<u>Comments/Questions</u>																														
		<p>In 1996 and 2001 the cost for was approximately \$1.5 million.</p> <p>The scope of the current project is identical to that of 2001 which was awarded to Aerial Cartographics of America, except for the inclusion of the <u>“enterprise Geographic Information System (GIS) supported by ESTD.</u></p> <p>Aviation’s overall portion of the cost is \$2.2 million.</p> <p>ETSD’s has utilized <b>Woolpert</b> in previous years to perform Photogrammetric Mapping Services as shown in the table below:</p> <table><tr><th>Year(s)</th><th>Contracting Agency</th><th>Amount</th><th>Horizontal Accuracy</th><th>Pixel Resolution</th><th>Planimetrics</th></tr><tr><td>1999; 2001</td><td>ETSD</td><td>\$1,093,195</td><td>+/- 2ft (inside UDB) +/- 5 ft (outside UDB)</td><td>1 ft</td><td>Yes</td></tr><tr><td>2003</td><td>FDOT, Public Works(PW), ETSD</td><td>\$1,056,000</td><td>+/- 1ft (inside UDB) +/- 5 ft (outside UDB)</td><td>¼ ft (inside UDB)  1 ft (outside UDB)</td><td>No</td></tr><tr><td>2005</td><td>Florida Department of Revenue (DOR), PW, ETSD</td><td>\$181,103</td><td>+/- 5 ft (Entire County)</td><td>1 ft</td><td>Yes</td></tr><tr><td>2006</td><td>DOR, PW, ETSD</td><td>\$76,342</td><td>+/- 5 ft (Entire County)</td><td>1 ft</td><td>No</td></tr></table>	Year(s)	Contracting Agency	Amount	Horizontal Accuracy	Pixel Resolution	Planimetrics	1999; 2001	ETSD	\$1,093,195	+/- 2ft (inside UDB) +/- 5 ft (outside UDB)	1 ft	Yes	2003	FDOT, Public Works(PW), ETSD	\$1,056,000	+/- 1ft (inside UDB) +/- 5 ft (outside UDB)	¼ ft (inside UDB)  1 ft (outside UDB)	No	2005	Florida Department of Revenue (DOR), PW, ETSD	\$181,103	+/- 5 ft (Entire County)	1 ft	Yes	2006	DOR, PW, ETSD	\$76,342	+/- 5 ft (Entire County)	1 ft	No
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8(A)(1)(B)	JPA with FDOT for state funds for construction and replacement of outdated passenger loading bridges	<ul style="list-style-type: none"><li>◆ Total project cost: \$2.4 million</li><li>◆ FDOT to provide funding totaling \$1.4 million</li></ul> <p><i>Presently how many loading bridges are there exactly at the 103 boarding gates?</i></p> <p><i>Of those, how many need to be replaced?</i></p> <p><i>What is the approximate cost per boarding bridge?</i></p> <p><i>Estimated date of completion?</i></p>																														
9(I)(1)(A) 9(I)(1)(B)	2005-2008 Collective Bargaining Agreements	<p><b><u>Wages:</u></b> 1<sup>st</sup> &amp; 2<sup>nd</sup> years 3% wage increase; 3<sup>rd</sup> year 4% wage increase</p> <p><b><u>Classification Appeal:</u></b> One (1) request per employee during the term of this three (3) year agreement (<i>previously unlimited number of requests</i>)</p>																														

<u>Item#</u>	<u>Subject Matter</u>	<u>Comments/Questions</u>
		<p><b><u>Work in Higher Classification:</u></b> Must be an established budgeted position currently on the Department's Table of Organization (<i>previously did not have to be listed on Table of Organization</i>)</p> <p>The maximum out of class compensation shall be limited to two (2) pay periods unless approved by Dept. Director and ERD. (<i>previously did not need approval and there was no limitation on the number of pay periods</i>)</p> <p><b><u>Holiday Leave:</u></b> Increased from 160 to 200 hours.</p> <p><b><u>Administrative Leave:</u></b> 1<sup>st</sup> year up to 16 hours of leave; 2<sup>nd</sup> year up to 24 hours; 3<sup>rd</sup> year up to 32 hours (<i>increases the amount of administrative leave hours in 2<sup>nd</sup> &amp; 3<sup>rd</sup> years from previous agreement</i>)</p> <p><b><u>Overtime Compensation:</u></b> Effective July 2006, administrative leave shall be included and considered as time worked for the purposes of determining overtime compensation calculations.</p> <p><b><u>Call Back Pay:</u></b> Effective July 2006, non-job basis employees required to report to a scheduled job-related Court appearance on their day off shall now be guaranteed at least four (4) hours pay at the applicable rate (<i>previously only compensated for actual time spent in Court with no minimum hours guaranteed</i>)</p> <p><b><u>Prevailing Benefits:</u></b> All wage and economic benefits provided by a Dept. Director currently in effect will remain in effect.</p> <p><b><u>Reopening:</u></b> A new provision provides for the County's right to re-open this agreement to discuss issues relating to the implementation of the Enterprise Resource Planning (ERP) for a new countywide Human Resource (HR) System.</p>
11A(9)	Resolution approving an Interlocal Agreement with Cutler Bay for advance	<ul style="list-style-type: none"> <li>• Town of Cutler Bay is requesting an additional advance \$600,000 of tax collections and other funds collected by the County on its behalf.</li> <li>• To date, the following municipalities have been extended similar funding: <ul style="list-style-type: none"> <li>1. Cutler Bay      \$300,000</li> <li>2. Miami Lakes    \$700,000</li> <li>3. Palmetto Bay    \$600,000</li> <li>4. Miami Gardens   \$300,000</li> <li>5. Doral             \$600,000</li> </ul> </li> <li>• The full amount of estimated revenue is pledged against anticipated</li> </ul>

BCC  
May 9, 2005

<u>Item#</u>	<u>Subject Matter</u>	<u>Comments/Questions</u>
		<p>expenditures by the County on behalf of the municipality.</p> <ul style="list-style-type: none"><li>• In the event of a shortfall, provisions included in the respective interlocal agreements call for the municipality to repay the advanced funds.</li></ul>
11A22	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION IMPOSING THE A THREE FOOT CLEARANCE REQUIREMENT RELATED TO MOTORIST SAFELY PASSING BICYCLIST	<ul style="list-style-type: none"><li>• <b>Florida State Legislature ends the first week of May 2006, item to be included in Miami Dade County's 2007 Legislative Package</b></li><li>• Currently, the State of Florida contains no provision that specifically relates to motorist passing bicyclists.</li><li>• The Florida Driver's Handbook recommends that a motorist passing a bicyclist maintain a clearance of 3 feet.</li><li>• U.S. States like Arizona, Utah, Minnesota and Wisconsin have enacted laws requiring a 3 feet measure of safety between vehicles and bicyclists</li><li>• In California, Assemblyman Pedro Nava has introduced a bill in place (AB 1941, February 1, 2006)) that would require the 3 feet measure of safety for motorist to maintain when passing bicyclists.</li></ul>